

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on March 20, 2009 at 3:00 P.M., in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Tony Belcourt (D)

Members Absent: None

Staff Present: Shirley Chovanak, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: SB 95; SB 200; SB 131; SB 297;
SB 246; HB 14; HB 254; HB 502

00:00:02 Chairman Milburn

00:01:10 **Motion:** Rep. Pomnichowski moved that **LC 2313**, Opencut Mining Bill; **LC 2343**, Wood Product Loan; and **LC 2344**, Generally Revise State Land Laws **EACH BE INTRODUCED AS A COMMITTEE BILL.**

00:01:40 Chairman Milburn

00:01:59 **Vote:** Motion carried unanimously by voice vote with Reps. Blewett, Cohenour, Belcourt, Menahan, Hands, Vincent, and Mendenhall voting by proxy.

00:02:49 Chairman Milburn

EXECUTIVE ACTION ON HB 14

00:02:46 **Motion/Vote:** Rep. Pomnichowski moved that **HB 14 BE TABLED.** Motion carried unanimously by voice vote with Reps. Blewett, Cohenour, Belcourt, Menahan, Hands, Vincent, and Mendenhall voting by proxy.

00:03:15 Chairman Milburn

EXECUTIVE ACTION ON HB 254

00:03:51 **Motion:** Rep. Pomnichowski moved that **HB 254 DO PASS.**

Discussion:

00:04:29 Chairman Milburn

00:04:38 Rep. Dickenson

00:05:22 **Substitute Motion/Vote:** Rep. Pomnichowski moved that **HB 254 BE TABLED.** Motion carried unanimously by voice vote, with Reps. Hands, Cohenour, Menahan, Blewett, and Belcourt voting by proxy.

EXECUTIVE ACTION ON HB 502

00:06:23 **Motion:** Rep. Pomnichowski moved that **HB 502 DO PASS.**

Discussion:

00:06:49 Rep. Warburton

00:07:38 Rep. Dickenson

00:08:54 Rep. Hoven
 00:08:59 Rep. Pomnichowski left.
 00:09:49 Rep. Hendrick
 00:11:10 Rep. Reinhart
 00:11:39 Rep. Mendenhall

00:12:25 **Substitute Motion/Vote:** Rep. Hendrick moved that
HB 502 BE TABLED. Motion carried unanimously by voice
 vote with Reps. Cohenour, Pomnichowski, Belcourt,
 Menahan, and Blewett voting by proxy.

EXECUTIVE ACTION ON SB 200

00:13:27 **Motion:** Rep. Hendrick moved that **SB 200 BE CONCURRED
 IN.**

Discussion:

00:13:42 Rep. Miller
 00:14:13 Rep. Hendrick
 00:14:30 Rep. Miller
 00:14:30 Rep. Hendrick
 00:14:56 Rep. Miller
 00:15:09 Rep. Hendrick
 00:15:27 Joe Kolman, Legislative Services Division
 00:15:52 Rep. Reinhart
 00:16:56 Rep. McGillvray
 00:17:37 Rep. Hands
 00:18:27 Rep. Vincent
 00:19:11 Rep. Hoven
 00:20:38 Rep. Vincent
 00:20:56 Rep. Reinhart
 00:21:46 Rep. Hands
 00:21:58 Rep. Hendrick
 00:22:35 Rep. Hoven
 00:23:28 Rep. Hands
 00:24:59 Rep. McGillvray
 00:25:51 Rep. Van Dyk
 00:26:08 Rep. Hoven
 00:26:45 Rep. Reinhart

00:28:21 **Vote:** Motion carried 11-7 by roll call vote with Reps.
 Hendrick, Mendenhall, Miller, McGillvray, Bennett,
 Warburton, and Milburn voting no. Reps. Pomnichowski,
 Cohenour, Belcourt, and Menahan voted by proxy. Rep.
 Hands will carry the bill.

EXECUTIVE ACTION ON SB 246

00:28:48 **Motion:** Rep. Hendrick moved that **SB 246 BE CONCURRED IN.**

00:29:04 **Motion:** Rep. Hendrick moved that **SB 246 BE AMENDED.**
EXHIBIT (nah62a01)

Discussion:

00:29:35 Mr. Kolman

00:30:12 **Vote:** Motion carried unanimously by voice vote with Reps. Mendenhall, Cohenour, Pomnichowski, and Hands voting by proxy.

00:30:57 **Motion:** Rep. Hendrick moved that **SB 246 BE CONCURRED IN AS AMENDED.**

Discussion:

00:31:13 Rep. Miller

00:31:23 Rep. Dickenson

00:31:37 Rep. Reinhart

00:32:11 Rep. McGillvray

00:32:32 Chairman Milburn

00:32:42 Rep. Vincent

00:33:27 Rep. Bennett

00:34:05 Rep. Hendrick

00:35:45 **Vote:** Motion failed 9-9 by roll call vote with Reps. Van Dyk, Reinhart, Hands, Blewett, Pomnichowski, Cohenour, Belcourt, Menahan, and Dickenson voting aye. Reps. Menahan, Cohenour, Belcourt, and Pomnichowski voted by proxy.

00:35:46 **Motion/Vote:** Rep. Hendrick moved that **SB 246 BE TABLED.** Motion carried unanimously by voice vote with Reps. Menahan, Cohenour, Belcourt, and Pomnichowski voting by proxy.

EXECUTIVE ACTION ON SB 297

00:36:05 **Motion:** Rep. Hendrick moved that **SB 297 BE CONCURRED IN.**

Discussion:

00:36:25 Mr. Kolman
 00:37:08 Rep. Dickenson
 00:38:24 Rep. Vincent
 00:39:15 Rep. Hoven
 00:40:00 Rep. Van Dyk
 00:41:13 Rep. Reinhart
 00:41:24 Rep. Mendenhall
 00:43:01 Rep. Reinhart
 00:44:34 Rep. Warburton
 00:45:32 Chairman Milburn
 00:45:40 Rep. Reinhart
 00:45:58 Chairman Milburn
 00:46:09 Rep. Reinhart

00:47:00 **Vote:** Motion failed 9-9 by roll call vote with Reps. Van Dyk, Reinhart, Hands, Blewett, Cohenour, Dickenson, Belcourt, Pomnichowski, and Menahan voting aye. Reps. Pomnichowski, Cohenour, and Belcourt voted by proxy.

00:47:46 **Motion/Vote:** Rep. Hendrick moved that **SB 297 BE TABLED**. Motion carried 17-1 by voice vote with Rep. Van Dyk voting no. Rep. Pomnichowski, Belcourt, and Cohenour voted by proxy.

EXECUTIVE ACTION ON SB 95

00:48:35 **Motion:** Rep. Hendrick moved that **SB 95 BE CONCURRED IN. EXHIBIT**(nah62a02)

Discussion:

00:48:45 Chairman Milburn
 00:48:47 Rep. Cohenour arrived.
 00:49:11 Rep. Hendrick **WITHDREW** motion.
 00:49:17 Mr. Kolman
 00:49:35 Chairman Milburn

EXECUTIVE ACTION ON SB 131

00:50:22 **Motion:** Rep. Hendrick moved that **SB 131 BE CONCURRED IN**.

Discussion:

00:50:37 Mr. Kolman

00:51:05 Chairman Milburn

00:51:25 Rep. Cohenour

00:52:04 **Motion:** Rep. Bennett moved that **SB 131 BE AMENDED.**

EXHIBIT (nah62a03)

Discussion:

00:52:51 Rep. Vincent

00:54:23 Mr. Kolman

00:54:30 Rep. Cohenour left.

00:54:54 Rep. Vincent

00:54:59 Chairman Milburn

00:55:02 Rep. Miller

00:55:16 Mr. Kolman

00:55:34 Rep. Hands

00:57:31 Rep. Bennett

00:57:50 Rep. Vincent

00:59:06 Rep. Hoven

00:59:40 Rep. Reinhart

00:59:53 Rep. Bennett

01:00:13 **Vote:** Motion carried unanimously by voice vote, with Reps. Pomnichowski and Belcourt voting by proxy.

01:00:36 **Motion:** Rep. Hendrick moved that **SB 131 BE CONCURRED IN AS AMENDED.**

Discussion:

01:00:55 Rep. Reinhart

01:02:13 Rep. Bennett

01:02:48 Rep. Hands

01:03:20 Rep. Vincent

01:05:46 Rep. Bennett

01:05:54 Rep. Hands

01:07:07 Rep. Dickenson

01:08:27 Rep. Hendrick

01:09:20 Rep. Vincent

01:09:59 Rep. Cohenour arrived.

01:10:23 Rep. Hendrick

01:10:40 Rep. Vincent

01:10:49 Chairman Milburn

01:10:54 Rep. Vincent

01:10:58 Chairman Milburn

01:11:05 Rep. Reinhart

01:14:22 Rep. Vincent

01:14:42 Rep. Reinhart

01:14:56 Chairman Milburn

01:14:59 Rep. Warburton
01:15:22 Chairman Milburn
01:15:40 Rep. Hands
01:15:55 Rep. Warburton
01:16:05 Rep. Reinhart
01:16:25 Rep. Hoven
01:16:49 Mr. Kolman
01:17:49 Chairman Milburn
01:18:00 Rep. Hendrick **WITHDREW** his motion.
01:18:22 Rep. Cohenour
01:19:13 Chairman Milburn
01:19:31 Rep. Cohenour
01:19:54 Chairman Milburn
01:19:56 Rep. Cohenour
01:21:43 Chairman Milburn
01:22:02 Rep. Vincent
01:22:11 Chairman Milburn
01:22:15 Mr. Kolman
01:22:34 Chairman Milburn

ADJOURNMENT

01:23:25 Adjournment

Shirley Chovanak, Secretary

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Additional Exhibit:

EXHIBIT (**nah62a04**)

Additional Documents:

EXHIBIT (**nah62aad.pdf**)